

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

JAMES LEMASTERS, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	Case No. 24-03200-CV-S-SRB
v.)	
)	
WAUSAU HOMES INCORPORATED,)	
<i>et al.</i> ,)	
)	
Defendants.)	

PLAINTIFFS' STATUS UPDATE MEMORANDUM

COME NOW Plaintiffs, and pursuant to Court Order (ECF 33), provide the following status update for the Court:

1. On April 2, 2025, Plaintiffs dismissed their claims against Wausau Homes Incorporated only. (ECF 31).
2. Scott Phillips and Phillips Builders, LLC remain in the case. Defendants Phillips and Phillips Builders, LLC were served on July 28, 2024. (ECF 4-5). Neither party has entered their appearance or filed a responsive pleading. Both are in default.
3. Additionally, it has been confirmed Scott Phillips is insured by Evanston Insurance Company.
4. Plaintiffs intend to seek default judgment against Defendants Phillips and Phillips Builders, LLC.
5. To prepare their Motion for Default Judgment, including analysis and research of certain discrete issues specific to same, and to ensure the seeking of default does not prejudice the rights of Plaintiffs or others, Plaintiffs require additional time.
6. Plaintiffs therefore propose a preliminary deadline of **Wednesday, May 21, 2025**

(one month from this date) to file their Motion for Default Judgment against Defendants Phillips and Phillips Builders, LLC, or in the alternative, to file a Status Report setting forth whether Plaintiffs require additional time.

Dated: April 21, 2025

Respectfully submitted,

KEANE LAW LLC

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CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing was served electronically upon all counsel of record via the CM/ECF system on April 21, 2025.

/s/ Tanner A. Kirksey